

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

_____)	MDL No. 1456
IN RE PHARMACEUTICAL INDUSTRY)	Master File No. 01-12257-PBS
AVERAGE WHOLESALE PRICE)	
LITIGATION)	(Original Central District of
California)	
_____)	No. 03-CV-2238)
THIS DOCUMENT RELATES TO:)	Judge Patti B. Saris
State of California, <i>ex rel.</i> Ven-A-Care v.)	
Abbott Laboratories, Inc., <i>et al.</i>)	
CASE #: 1:03-cv-11226-PBS)	
_____)	

**NOTICE OF PROPOSED CASE MANAGEMENT ORDER
PURSUANT TO THE COURT'S MARCH 16, 2006 RULING**

Defendants Lipha, S.A. and Merck KGaA (collectively, the “Merck Entities”) and Plaintiffs, through their undersigned counsel, respectfully submit the attached proposed case management order as directed by the Court on March 16, 2006. On March 16, 2006, the Court granted Plaintiffs and the Merck Entities’ joint motion to stay the deadline for the Merck Entities to respond to the First Amended Complaint In Intervention and directed Plaintiffs and the Merck Entities to submit a proposed scheduling order.

Dated: April 11, 2006

/s Philip D. Robben
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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Notice of Proposed Case Management Order and accompanying Proposed Case Management Order were delivered to all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2, by sending on April 11, 2006, a copy of each to LexisNexis File & Serve for posting and notification to all parties.

/s Philip D. Robben

Philip D. Robben